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September 12, 2007

Via Facsimile (212) 805-6181

Mrs. Helen Lewis
Courtroom Deputy to Hon. Douglas F. Eaton
United States Magistrate Judge
United States District Court
500 Pearl Street
New York, NY 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: <u>9/13/07</u>

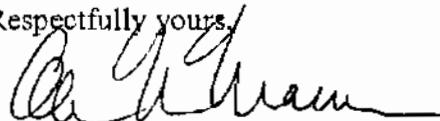
Re: George Jones, Jr. v. Consolidated Edison Company of New York,
Metropolitan Life Insurance Company, et al.
No. 07 CV 03211 (PKC)

Dear Mrs. Lewis:

My firm represents defendant Metropolitan Life Insurance Company ("MetLife") in the referenced matter. Enclosed is the completed Acknowledge Form for the settlement conference scheduled for September 24, 2007 at 2:00 p.m. As you can see, I respectfully request that my client participate by telephone rather than appear in person. The reason is that MetLife, the third-party administrator for the Consolidated Edison long-term disability ("LTD") Plan (the "Plan"), has no liability for the Plan benefits at issue in this case. The LTD benefits are self-funded by Con Edison; MetLife does not insure the benefits. Determinations as to eligibility for benefits under the Plan are made by Con Edison, not MetLife. Therefore, since MetLife lacks authority to settle this case, the actual attendance of a MetLife client at the settlement conference will not advance its purpose.

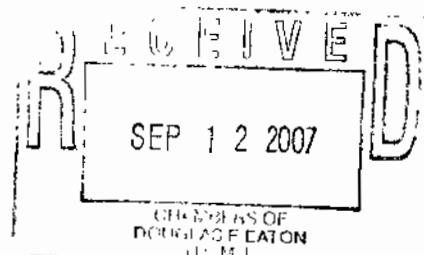
9/13/07 - I grant this
request.
Douglas F. Eaton

Respectfully yours,



ALLAN M. MARCUS
Of Counsel

AMM:nc:919532



Please complete this form, sign it, and send it by mail or fax to:

Mrs. Helen Lewis
Courtroom Deputy to Douglas F. Eaton
United States Magistrate Judge
500 Pearl Street, New York, NY 10007

SEP 12 2007

fax number (212) 805-6181 (fax is preferable)

CHARITIES OF

DOUGLAS EATON
Tendu s

1. I acknowledge that my client and I must attend a settlement conference in Courtroom 18A at 500 Pearl Street on

September 24, 2007 at 2 o'clock.

a. The name of my client(s) who will attend the conference is (are) Ian Linker, Esq. Counsel
Name Title

(You must fill in "a" even if the client wishes to attend by telephone. If the client is not an individual, supply the name and title of the employee who will attend.)

*My client will attend by telephone. See accompanying letter.

b. My client will attend by telephone, if Judge Eaton approves, because (CHECK ONE): _____ I hereby certify that my client lives more than 100 miles from New York City. _____ My client is not an individual, and I hereby certify that no knowledgeable employee of my client or of an affiliate of my client lives within 100 miles of New York City.

2. The names of the defendants' insurance carriers are:

_____. The names of the employees of each carrier who will attend the conference are:

3. I acknowledge receiving a copy of the 2-page Standing Order applicable to all cases referred for settlement to Judge Eaton. I acknowledge that I must fax an ex parte confidential letter to Judge Eaton the week before the conference. 1A 1A

Attorney's Name (please print and sign)
Allan M. Marcus

rence.
Allen G. Traum

Name of first-named plaintiff: George Jones, Jr.

Name of first-named defendant: Consolidated Edison Co.

Consolidated Edison Co.

Name of the party represented by me: Metropolitan Life Ins. Co.

Packet Number: 11 - 05